

Minutes of the Judiciary and Law Enforcement Committee - August 12, 2005

The meeting was called to order at 8:30 a.m. by Chair Mitchell. Supervisor Kipp led the committee with the Pledge of Allegiance.

Present: Chair William Mitchell, County Board Supervisors Keith Harenda, Mareth Kipp, Carl Seitz, David Swan, Jean Tortomasi; **Absent:** Kathleen Cummings

Staff Present: Legislative Policy Advisors Dave Krahn and Mark Mader, Legis. Associate Sandra Meisenheimer

Also Present: Sheriff Captain Frank McElderry, Deputy Brad Stenulson, Chairman Jim Dwyer, Judge Michael Bohren, Budget Mgr. Keith Swartz

Approve Minutes of July 8, 2005

Motion: Swan moved, second by Tortomasi, to approve the minutes of 7/8/05. **Motion carried 6 – 0.**

Correspondence

Mitchell addressed the following items:

1. Letter from Captain Karen Ruff to Theresa Schott of Sussex in response to the handling of Schott's medical needs when arrested for disorderly conduct.
2. Email that Supervisor Stamsta received regarding the success of the Kona drug court on the Big Island (Hawaii), which was launched in late 2002.
3. Intent to apply information from Emergency Preparedness Department for the grant "Buffer Zone Protection Program."

Executive Committee Report by Bill Mitchell of August 1, 2005

Mitchell reported on items that were discussed and/or considered at the last meeting on Monday, August 1. Mader also assisted in explaining about the strategic planning process where citizens and special interest groups were involved.

Demonstration by the Sheriff's Department K-9 Unit

Captain McElderry, 2nd shift patrol officer and Deputy Stenulson were present along with Tangka, a 4 ½ year old female dog trained to detect drugs and purchased/donated by the Waukesha Kennel Club. The dog came from the Holland area and is a Belgium Malinois. McElderry said they have 4 dogs which are dual purpose dogs. The dogs do patrol (apprehension of suspects; are biting dogs; do tracking and building searches) and narcotics detection (heroin, marijuana, cocaine and methamphetamine). Last year (2004) there were 600 uses which means deployment (drug searches, patrol calls). They do go outside of the county to Washington and Walworth on occasion. The dogs work anywhere from 7-10 years, and there are two different types -- passive and aggressive indication. Tangka is the first passive-indicator dog they've had for drug finds. Aggressive indication is a scratch and passive is a sit, a lay or a hard stare. McElderry gave the command for Tangka to sniff three suitcases on the floor, and she was successful in finding the right suitcase at which time she received a reward.

There also was a discussion on what is done in the schools as to finding drugs (lock-downs; walk-throughs; parking lots) and whether there is prosecution or referrals for counseling. McElderry and Stenulson also covered the patrol function and what the dogs do. There are different commands for finding drugs and finding people.

McElderry said of the 4 dogs, 2 of them are 2nd shift, and typically work from 3:00 to 10:00 p.m. and 4:00 to 12:00 midnight. Others hours are from 11:00 p.m. to 6:00 a.m. and 12:00 midnight to 7:00 a.m. It basically is the later afternoon hours through the night.

Kipp asked where does your seized forfeiture money go? McElderry said Metro handles the money. He stated that the K-9 unit's budget is \$8,000 to \$9,000 per year.

Security Committee Update

Dwyer and Bohren were present. Dwyer said the committee meets quarterly although it has been meeting more frequently of late to talk about the Supreme Court Rule on courthouse security and everything that is involved with it. Because of recent incidences that have happened throughout the country, it has put a more focused view on what they are doing and how they are doing it. Dwyer stated that Judge Bohren has been a very strong advocate of a secured perimeter for the Courthouse. Citizens and employees will be able to enter through the main door of the Courthouse. The details are not all totally clear yet; there are a lot of things involved. Employees will also be entering through the main entrance of the Admin. Center (public will not). Policy and procedures still need to be developed for tailgating, how people will enter, and what type of entry it will be. There also will be a third entrance for the judiciary, who will park in the courtyard and enter through Door 6. Other issues will be determined for maintenance people, construction workers, attorneys and public defenders, as well as deliveries made by United Parcel, Corporate Express, and Federal Express. There will be money in the 2006 budget to implement the project, which will ensure the safety not only of county employees and the judiciary but also the families involved in the court process, as well as those incarcerated. There is no final plan at this point but they need to find out over a period of time how the secured, controlled access works. That will lead to other capital projects such as the courts building main entrance. But before they start spending dollars, they need to know what they're doing and how they're going to get there.

To Kipp's question about the amount of time it will take to enter the facility, Dwyer responded that card access won't take any more time than it does now. People entering the public entrance will go through security; employees entering will go through an employee by-pass. Sometime in the future the entrance will have to be remodeled to accommodate everyone entering. It will be stationed with 1 armed deputy sheriff and 2 civilian workers. For the first 6 months of the trial period, there will also be a civilian worker located at the employee entrance of the Administration Center to monitor people coming and going.

Kipp asked does the final decision rest with the Security Committee? Bohren said the judges are operating under the proviso that the County Executive makes these decisions through his general authority. Dwyer said the County Board has the final say regarding the budget but not about what doors will be open or closed, etc. However, the Board could say, for example, that they don't want perimeter screening and not fund it.

Swan asked if there are more entrances, does that mean the costs will go up accordingly? Also, does the committee have any recommendations? How do we get it so it works best for everyone involved? Bohren said they are in favor of securing the Courthouse and Administration Building, and they are willing to be flexible to be sure it gets secured in a safe way. There's always an issue as to what the authority of judges is over the Courthouse and operation of the courts. The Chief Judge has authority over operation of the courts but it becomes more complicated as to other offices in the Courthouse. The resolution that the Security Committee dealt with was put together by the

County Executive's office with some input from the committee. There were meetings with the County Executive's staff to discuss concerns by the judges. Generally, the judges support what is in the resolution. Laura Stauffer of Risk Management is working on a detailed administrative policy

to implement it. The cost will be about \$250,000 per year to staff one entrance with 1 deputy and 2 civilians. Dwyer added that another issue, which hasn't been addressed, is use of the facility at night.

Kipp said she is concerned about the citizenry of the county and by locking down the facility it will make it difficult for them. She understands about the security but doesn't really feel going to this extreme is needed. She also was wondering if there were any plans for taking 2 days in the summer and 2 days in the winter to see how it will work before the whole plan is implemented. Dwyer said Bohren asked the County Executive to amend the operating budget to do screening this year. However, the problem is everything isn't ready (doors; entryways).

Legislative Update

Krahn said still outstanding regarding the budget bill (ACT 25) is the question as to whether or not the legislature will sue the governor for one particular veto. This veto allows the Department of Administration secretary to move money around. Down the road if this veto is upheld, the DOA secretary will be able to shift funds from one account to another. Regarding overrides of the approximate 187 vetoes, Krahn didn't think there would be any.

Mitchell asked are there any unfunded mandates in the budget that will cause any problems for Waukesha County? Krahn said no. There may be a couple of new mandates in the budget but nothing major. Regarding AB 79, which authorizes a city or village to abolish its police department if it enters into a contract with a county for the sheriff to provide law enforcement services, etc., it will be signed by the governor on August 17, 2005. Also, there were 2 bills that became part of budget so they are also part of ACT 25. They are AB 256 and AB 275.

Future Meeting Dates

The next meeting is scheduled for Friday, September 9. Capital projects will be reviewed and the meeting could extend into the afternoon depending on the number of other agenda items. Kipp said she would be out of town on September 9 and unable to attend the meeting.

Motion to adjourn: Kipp moved, second by Swan, to adjourn the meeting at 10:25 a.m. Motion carried 6 - 0.

Respectfully submitted,

Mareth K. Kipp
Secretary

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